

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

PROGRESSIVE SPECIALTY)	
INSURANCE COMPANY,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 08-0156-CG-M
)	
ALLEN TIMBER CO., L.L.C., et al.,)	
)	
Defendants.)	

ORDER

This matter is before the court on the motion to set aside entry of default and default judgment filed by Allen Timber Company, L.L.C. (Doc. 21) and plaintiff's response (Doc. 23).

Upon due consideration the court finds that no prejudice will result by granting the motion; therefore, the motion to set aside entry of default is **GRANTED**. The clerk's entry of default (Doc. 15) is hereby **SET ASIDE**. As the court has not entered default judgment against the defendant, defendant's motion to set aside default judgment is deemed to be **MOOT**.

Allen Timber Co., L.L.C. is **ORDERED** to file its responsive pleading to the plaintiff's complaint **on or before June 11, 2008**.

DONE and ORDERED this the 27th day of May, 2008.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE